

FILED 21

2014 AUG 18 P 3:39

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN-DETROIT

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Benyne Goldston/Evelyn Owens  
Creditor/Objector

v

In re:  
City of DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
Kevyn D. Orr  
Debtors/City of Detroit

Chapter 9  
Case No. 13-53846  
Magistrate Judge:  
Steven W. Rhodes

MOTION

NOW COMES Benyne Goldston and Evelyn Smith and Pursuant Federal Court Rules of Civil Procedure 7(b) (1) and the 1<sup>st</sup> Amendment of the Constitution of the United States. We object to the Plan of Adjustment for the following reason:

OBJECTION

Impairment of Minority Rights: In regards to the Plan of Adjustment and the voting process, it was reported that the majority of those voting accepted the Plan. In light of this, there is still a minority that voted to reject the plan and have submitted objections to support our belief the plan should not be approved. The Plan suggests that even if the respondents voted to reject the Plan, there would be no rights to appeal or sue should the Plan be approved. It is our contention that we reserve the right to sue or appeal should the Plan be approved.

The above motion is not a duplicative because it is not made by a member of class 11 exclusively. Evelyn Smith shall witness on behalf of the motion. The witness will require approximately 15-20 minutes.

Exhibits will be provided upon hearing notification.

Therefore, the 5<sup>th</sup> Amended Plan of Adjustment is not fair, equitable or just and not meet the requirement for confirmation.

Wherefore we hereby object to the 5<sup>th</sup> Amended Plan of Adjustment.

Respectfully submitted,

Evelyn Smith

Benyne Goldston



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE: CITY OF DETROIT FILED (1)

Debtor.

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CASE NO: 13-5384

CHAPTER: 9

JUDGE: STEVEN RHODES

U.S. BANKRUPTCY COURT  
E.D. MICHIGAN DETROIT

CERTIFICATE OF SERVICE

I hereby certify that on AUGUST 18, 2014 (date of mailing), I served copies as follows:

1. Document(s) served: MOTION

2. Served upon [name and address of each person served]:

JONES DAY DAVID HEIMAN  
901 LAKESIDE AVE.  
CLEVELAND, OHIO 44114

1st CLASS MAIL

3. By First Class Mail.

Dated: Aug. 18, 2014

BENYNE GOLSTON  
(Signature of Debtor)

Print Name: BENYNE GOLSTON

   
(Signature of Co-Debtor)

Print Name: \_\_\_\_\_